

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTINE C. ANDERSON,

:
Plaintiff,

07 Civ. 9599 (CBA) (DFE)

:

-against-

:

**DEFENDANTS' RULE 26(a)(1)
DISCLOSURE**

THE STATE OF NEW YORK, et al.,

:

Defendants.

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Defendants, by their attorney, ANDREW M. CUOMO, Attorney General of the State of New York, provide the following initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1):

(A) Persons who may have knowledge:

Andral Bratton, Deputy Chief Counsel, Departmental Disciplinary Committee, 61 Broadway New York, N.Y. 10006, 212-401-0800 (hereinafter "DDC"), knowledge of workings and events in DDC.¹

Thomas J. Cahill, former Chief Counsel of DDC, as party contact is through undersigned counsel.

Angela Christmas, Principal Attorney at DDC.

Sherry K. Cohen, First Deputy Chief Counsel at DDC, as party contact is through undersigned counsel.

Jorge Dopico, Principal Attorney at DDC.

Patrick Finnegan, Chief Management Analyst, Appellate Division, First Judicial Department,

¹ Unless otherwise indicated, all witnesses designated herein as employed in DDC have knowledge of workings and events in DDC.

Supreme Court, State of New York, 27 Madison Avenue, New York, N.Y. 10010, 212-340-0400 (hereinafter "Appellate Division"); knowledge of grievance filed by plaintiff.

Sara Jo Hamilton, former First Deputy Chief Counsel of DDC and former Secretary to Character and Fitness Committee, 670 White Plains Road, Scarsdale, N.Y. 10583, 914-472-2300; knowledge of workings and events in DDC.

Monique Hudson, Secretary at DDC.

Jun H. Lee, Senior Attorney at DDC.

Hal R. Lieberman, attorney in private practice, 780 Third Avenue, New York, N.Y. 10017, 212-471-6220; knowledge of matters with DDC.

Richard M. Maltz, attorney in private practice, 488 Madison Avenue, New York, N.Y. 10022, 212-705-4804; knowledge of matters with DDC.

Steven McGoldrick, Principal Attorney at DDC.

Celena Nelson, Secretary at DDC.

Kevin O'Sullivan, Principal Attorney at DDC.

Orlando Reyes, Senior Attorney at DDC.

Michael Ross, attorney in private practice, 60 East 42nd Street, New York, N.Y. 10165, 212-505-4060; knowledge of matters with DDC.

Deborah Scalise, attorney in private practice, 670 White Plains Road, Scarsdale, N.Y. 10583, 914-472-2300; knowledge of matters with DDC.

David Spokony, Deputy Chief Clerk, Appellate Division, First Department, Supreme Court of New York, as party contact is through undersigned counsel; knowledge of aspects of plaintiff's employment with DDC.

Judith Stein, Principal attorney at DDC.

Michelle Wang, Information Technology specialist at DDC.

Catherine O'Hagan Wolfe, former Chief Clerk, Appellate Division, First Department, Supreme Court of New York; presently Clerk, United States Court of Appeals for the Second Circuit, 40 Foley Square, New York, N.Y. 10007, 212-857-8500; knowledge of aspects of plaintiff's employment with DDC.

All persons identified in plaintiff's Rule 26(a)(1) disclosure.

Such other persons as may be identified in or identifiable in applicable documentation.

Defendants reserve the right to supplement or amend this response up to and including the time of trial.

(B) Defendants identify the following document Categories²:

Materials from personnel file of plaintiff.

Materials on the administrative matter initiated by plaintiff in the New York State Division of Human Rights.

Materials pertinent to non-contract grievance filed by plaintiff.

Materials pertinent to decision to terminate plaintiff's employment at DDC.

Memoranda, e-mails, and work product pertinent to plaintiff's activities in DDC centering in the years 2006 and 2007.

Correspondence and notes of DDC and Appellate Division personnel on employment issues pertaining to plaintiff, subject to privilege.

Materials pertinent to attorney disciplinary matter at DDC, placed into issue by plaintiff,

² Documents covered in the categories identified herein are located at the offices of the undersigned, DDC, or the Appellate Division. Production of specific documents will be subject to designations of privilege or confidentiality.

involving attorney "H" (last name spelled with four letters).

Materials pertinent to attorney disciplinary matter at DDC, placed into issue by plaintiff, involving a separate attorney "H" (last name spelled with six letters).

Materials pertinent to attorney disciplinary matter at DDC, placed into issue by plaintiff, involving attorney "M" (last name spelled with six letters).

Materials pertinent to attorney disciplinary matter at DDC, placed into issue by plaintiff, involving a separate attorney "M" (last name spelled with eight letters).

Materials pertinent to other attorney disciplinary matters at DDC as are placed into issue.

Employment files of DDC personnel other than plaintiff, where employment treatment of such individuals is at issue.

Public brochure on workings of DDC.

Brochure distributed to Office of Court Administration personnel on procedure for making internal employment discrimination claims.

(C) Computation of damages: Not Applicable.

(D) Insurance Coverage: Nott Applicable.

Rule 26 (a)(2)(A) Disclosure of Expert Testimony:

Defendants have not yet determined to retain the services of an expert to testify at trial. If such an expert is retained, defendants will further supplement this response in accordance with FRCP Rule 26 and the local rules of the Court.

Defendants reserve the right to supplement or amend this response up to and including the time of trial.

Dated: New York, New York
January 22, 2008

yours truly,

ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
By:

/s/ Lee Alan Adlerstein
Lee Alan Adlerstein
Assistant Attorney General
120 Broadway, 24th Floor
New York, New York 10271
(212)-416-6035

TO: Tembani S. Xaba
Attorney for Plaintiff
227 Riverside Drive
New York, N.Y. 10025
(917)-432-9226